

REMARKS

Claims 1-8 are all the claims pending in the application. Claims 1-8 have been amended for form and clarity only. Applicant submits there has been no change in the scope of the claims and that each claim as amended is supported by the original specification and drawings as filed. As such, Applicant respectfully requests the Examiner enter the amendments.

I. Claim Rejections - 35 U.S.C. § 102

Claims 1-8 are rejected under 35 U.S.C. § 102(e) as being anticipated by Rezvani et al. (US 6,760,434). Applicant respectively traverses this rejection, first with respect to independent claim 1, as now amended, in view of the requirements shown in bold below:

A telecommunication hybrid circuit adapted to interface a line driver and a telecommunication line, said telecommunication hybrid circuit having first and second driver terminals connected to said line driver and **first and second telecommunication terminals connected to said telecommunication line**, said telecommunication hybrid circuit further comprising:

a **first series impedance connected between said first driver terminal and said first telecommunication terminal**;

a **second series impedance connected between said second driver terminal and said second telecommunication terminal**;

a **first cross-coupled impedance connected between said first driver terminal and said second telecommunication terminal**; and

a **second cross-coupled impedance connected between said second driver terminal and said first telecommunication terminal**,

wherein each of **said first and second series impedances includes a device having a frequency dependant impedance**.

In making this rejection, the Examiner asserted that the top of inductor 312 and the bottom of inductor 316 are readable as the required “**first and second telecommunication terminals connected to said telecommunication line**.” At no point in Rezvani, however, are these two points described as terminals.

Alternatively, if the examiner's rejection is based on the concept that the top of inductor 312 and the bottom of inductor 316 are terminals in the sense that they represent the connection point of the hybrid to the transformer, then both the bottom of inductor 312 and the top of inductor 316 must also be considered terminals. In this case, the hybrid would have four terminals that connect to the transformer and the transformer would have to be considered part of the telecommunications line. Interpreting Rezvani in this alternative manner undercuts the rejection, however, because the hybrid would not comprise any device "having a frequency dependant impedance," since all the inductors shown in Rezvani are part of the transformer.

The Examiner stated that the resistors of Rezvani could be composed of other series of components, such as a inductor. Applicant does not disagree that modifications of many and varied types could be made to the circuits described in Rezvani, but no such modifications are in evidence. The rejection under 35 U.S.C. § 102 must be based on evidence in the record, not untaught modifications.

Rezvani teaches such modifications only in the context of achieving a *particular resistance* and **not** in the context of achieving a *particular frequency dependent impedance* ("Resistive elements include passive elements such as resistors, capacitors or inductors or active elements such as an op amp."). As such, to substitute for R1 a resistor and an inductor specifically to add frequency dependent impedance is not a modification that can be reasonably said to be taught or suggested by Rezvani.

Further, even if Applicant ignores the fact that the suggested modifications are completely untaught, there is yet an additional reason that this rejection should be withdrawn, namely, because in this construction of the hybrid there are four terminals, the "first series impedance," 370 to R1 composed of a resister and an inductor, and the "second cross-coupled

impedance,” 376 to R3 to R4, would not connect to the same terminal. The “first series impedance” according to the Examiner’s suggested modifications would connect to the terminal at the bottom of inductor 312 and the “second cross-coupled impedance” would connect to the terminal at the top of inductor 312. The same would be true respectively for the “second series impedance” and the “first cross-cross coupled impedance.”

Finally, assuming from the Examiner’s brief explanation in the Office Action that the Examiner intended to incorporate the entirety of the transformer into the hybrid, the reference still does not teach all the limitations of claim 1. First, the top and bottom of the middle primary inductor 314 are the only two points that could fairly be said to be terminals and still connected to a transmission line. However, in this construction of Rezvani, the “first series impedance” would be comprised on only R1. Thus, the “first and second series impedances” could not include “a device having a frequency dependant impedance.” Instead, the first and second cross-coupled impedances would include a device having a frequency dependant impedance (i.e. 376 to R3 to R4 to primary inductor 312 to the top of 314). Applicant again submits that to substitute a series connected resistor and inductor for R1 specifically to add frequency dependant impedance would be nothing more than hindsight for the reasons discussed above. Further, such a substitution could also change the operation of the circuit disclosed in Rezvani (i.e. for all of the first and second series impedances and the first and second cross-coupled impedances to have frequency dependant impedances could change the operation of the circuit).

Accordingly, Applicant respectfully submits that claim 1 is not anticipated under 35 U.S.C. § 102(e) by Rezvani, because the reference does not disclose all of the features and limitations of the claim. Untaught and non-obvious modifications would have been necessary.

As such, Applicant respectfully requests that the Examiner withdraw the rejection of claim 1, and claims 2-8 at least by virtue of their dependency from claim 1.

Applicant respectfully points out that, since the modifications to Rezvani are not taught or suggested in the prior art, an artisan of ordinary skill would not have (and could not have) adapted Rezvani's circuits to achieve the subject matter of independent claim 1, as now amended. Therefore, Rezvani could not be said to be a prior art that renders claim 1 unpatentable within the meaning of 35 U.S.C. § 103.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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